IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 1469 of 2003

For Approval and Signature:

HONOURABLE MS.JUSTICE H.N.DEVANI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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FOOD CORPORATION OF INDIA - Petitioner(s)
Versus
KUTCH SHIPPING AGENCY PVT LTD. - Respondent(s)

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Appearance :
MR SS PANESAR for Petitioner(s) : 1,
MR NV ANJARIA for Respondent(s) : 1,

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CORAM : HONOURABLE MS.JUSTICE H.N.DEVANI

Date : 11/07/2006

ORAL JUDGMENT

1. This petition is directed against the order dated 23rd January, 2003, passed by the learned Civil Judge (S.D.), Gandhidham-Kutch, below

Exh.83 in Special Civil Suit No.110 of 1995.

2. Mr. Sushil Singh, learned advocate for the petitioner has submitted that Special Civil Suit No.110 of 1995 has already been adjudicated and that against the said judgment and order the petitioner has preferred an appeal before this Court being First Appeal No.1253 of 2006. It is submitted that in the circumstances, the present petition wherein an interlocutory order made in the said suit is subject matter of challenge, has become infructuous.

3. In the aforesaid circumstances, the petition is disposed of as having become infructuous. Rule is discharged. No order as to costs.

(HARSHA DEVANI, J.)

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